

LAW OFFICES OF
WATKINS,
BATES, CAREY
& MCHUGH

1200 Fifth Third Center
608 Madison Avenue
Toledo, Ohio 43604-1157
(419)241-2100
Telecopier (419)241-1960

EPA Region 5 Records Ctr.



339795

May 10, 1993

Mark Messersmith
Emergency Support Section
U.S. Environmental Protection Agency
HSE-55
77 West Jackson Boulevard
Chicago, Illinois 60604

VIA FEDERAL EXPRESS

Re: Port Lawrence Title and Trust Company,
Trustee, Response to EPA's Request for
Information Pursuant to Section 104(e) of
CERCLA for the Tyler Street Dump site in
Toledo, Ohio

Dear Mr. Messersmith:

We have been retained by Port Lawrence Title and Trust Company in connection with the USEPA inquiry into the generation, storage, treatment and disposal of hazardous materials at the Tyler Street Dump site, Toledo, Ohio.

To that end, I enclose a copy of the completed responses to the "Request for Information Pursuant to Section 104(e) of CERCLA" for your review. As you can see from the responses, Port Lawrence has no knowledge of the use of the property as a hazardous disposal site. That is because Port Lawrence holds bare legal title, pursuant to a title holding agreement with Ronald J. Gorney ("Gorney"), the beneficial owner of the property.

A brief explanation of how Port Lawrence acquired title to the property and the extent of its involvement in the management and control will prove helpful to you in ascertaining potential liability under CERCLA.

On December 16, 1983 Port Lawrence Title and Trust Company, Trustee, acquired legal title from Samuel A. Geraldo ("Geraldo") to the Tyler Street Dump site located at the east end of Tyler Street, Toledo, Ohio.

WILLIAM F. BATES
JOHN M. CAREY
JOHN J. MCHUGH, III
GARY C. SOMMER
THOMAS C. GESS
MARNIA A. SHUSTER
GABRIELLE DAVIS
MARY JO TARINI
JENNIFER L. MORRISON
LARRY A. KACZALA

1 ALSO ADMITTED IN MICHIGAN
2 ALSO ADMITTED IN FLORIDA

COUNSEL
RICHARD H. PETERS

HARLEY A. WATKINS
(1902-1979)
ROBERT A. KEUB
(1910-1992)

Mark Messersmith
May 10, 1993

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Title was acquired for the benefit of Gorney pursuant to an informal title holding agreement. Geraldo acquired title on May 17, 1977 from the Boys' Club of Toledo, the prior record owner of the dump site.

Contemporaneous with the deed from Geraldo to Port Lawrence, Port Lawrence, as Trustee, executed a mortgage in favor of Geraldo for the benefit of Gorney in the amount of \$40,000.00. The mortgage contains a specific recitation that:

Grantor, as Trustee, executes this Mortgage, does not personally undertake any of the covenants or obligations contained in this Mortgage, including, without limitation, the payment of the indebtedness secured hereby, or assume any personal liability with respect thereto, and it being understood that all such covenants and obligations, including the payment of the indebtedness, are to be performed by the Beneficial Owners of the premises, and that the covenants hereinafter referred to shall be deemed to be the covenants of the Beneficial Owners of the premises. [Mortgage at p. 1.]

Port Lawrence is not an owner or operator of the facility as defined by CERCLA Section 101(20)(A). A mere title holding arrangement is not full legal ownership contemplated by CERCLA Section 107. United States v. Mirabile, 15 Env'tl. L. Rep. (Env'tl. L. Inst.) 20994 (E.D. Pa. 1985).

Not only is mere legal title insufficient to impose CERCLA liability, but the recent cases respecting trustee liability have declined to impose liability beyond the amount of trust assets where the trustee had no control over the trust property and did not knowingly allow the property to be used for the disposal of hazardous substances. City of Phoenix v. Garbage Services, Co. No. C-89-1709 SC, April 6, 1993 (D. Arizona). In that Order the court adopted §265 Restatement (Second) of Trusts which obviates personal liability to a trustee which did not result from a contract or a tort committed by him. Id. at 15.

We believe that the decision in the City of Phoenix case reaches a fair result and is entirely consistent with decisions in the lender liability arena

Mark Messersmith
May 10, 1993

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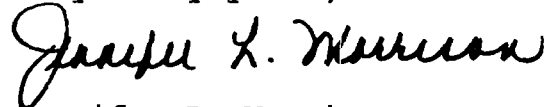
as well. See Michigan v. Tiscornia, DC W. Mich, No. 5:90-CV-62, Jan. 12, 1993; Ashland Oil, Inc. v. Sonford Products Corp. DC Minn, No. 3-91-0715, Dec. 24, 1992; and Grantors to the Silresun Site Trust v. State Street Bank & Trust Co. DC Mass, No 88-1324-K, transcript of court proceedings, Nov. 24, 1992.

The argument against imposing liability on a title company as trustee holding legal title is far more compelling than the case of a bank trust department or a secured lender. Although CERCLA is silent on this issue, a bank trustee or secured lender has far greater control over the use of real property than a title company with no management authority. A trust agreement administered by a bank usually contains certain powers respecting real property. A security device always provides the lender with the ability to assert control over the property. On the other hand, a title company simply has no authority to either control the use or engage in management of the real estate.

Port Lawrence has fully complied with the USEPA inquiry to the best of its ability. Should you require additional information, they will respond as requested, given the limitations outlined above.

Should you have any questions or comments regarding the foregoing, please do not hesitate to call.

Very truly yours, .



Jennifer L. Morrison

JLM:kab
Enclosure

cc: Robert Wasserman, Executive Vice-President
Port Lawrence Title and Trust Company

PORT LAWRENCE TITLE AND TRUST COMPANY
RESPONSES TO REQUEST FOR INFORMATION PURSUANT
TO SECTION 101(C) OF CERCLA

1. Identify all persons consulted in the preparation of the answers to these Information Requests.

Victor R. Crouch
Vice-President - General Counsel
Port Lawrence Title and Trust Company
616 Madison Avenue
Toledo, Ohio 43604-1173

Fred C. Meyer
Legal Counsel
Port Lawrence Title and Trust Company
616 Madison Avenue
Toledo, Ohio 43604-1173

2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these Requests and provide copies of all such documents.

General Warranty Deed from Samuel A. Geraldo to Port Lawrence Title and Trust Company, Trustee dated December 14, 1983 and recorded in the Recorder's office of Lucas County, Ohio on December 16, 1983 at 11:26 a.m. on mortgage microfiche No. 83-493C01. [Exhibit A.]

Copy of transfer card from Lucas County Auditor. [Exhibit B.]

Map from Lucas County Auditor's Office. [Exhibit C.]

General Real Estate Mortgage executed by Port Lawrence Title and Trust Company, Trustee. [Exhibit D.]

3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons.

Ronald J. Gorney
4425 Creekside
Toledo, Ohio 43612

4. List the EPA Identification Numbers of the Respondent.

Not applicable.

5. Identify the acts or omissions of any persons, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom.

Unknown

6. Identify all persons having knowledge or information about the generation, transportation, treatment, disposal or other handling of hazardous substances by you, your contractors, or by prior owners and/operators.

Unknown

7. Did you ever use, purchase, store, treat, dispose, transport or otherwise handle any hazardous substances or materials?

No.

8. Identify all persons, including yourself, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site or to the Site.

Port Lawrence Title and Trust Company never arranged for the disposal or treatment or arranged for transportation for disposal or treatment of waste materials, including hazardous substances at the site. It cannot identify anyone who might have done so, except the prior record owners of the property. The prior record owners were:

date unknown:	City of Toledo, Ohio
05/27/69 - 05/17/77	Boys' Club of Toledo
05/17/77 - 12/16/83	Samuel A. Geraldo
12/16/93 - present	Port Lawrence Title and Trust Company Trustee for the benefit of Ronald J. Gorney

9. Describe the nature of your activities or business at the Site, with respect to purchasing, receiving, processing, storing, treating, disposing, or otherwise handling hazardous substances or materials at the Site.

Not applicable

10. State the dates during which you owned, operated or leased the Site and provide copies of all documents evidencing or relating to such ownership, operation, or lease arrangement (e.g., deeds, leases, etc.).

Legal title was conveyed to Port Lawrence Title and Trust Company on December 16, 1983. A copy of the deed was supplied in response to request No. 2. [Exhibit A.]

11. Provide information about the Site, including but not limited to the following:

- a) Property boundaries, including a written legal description;

See Exhibit E

- b) Location of underground utilities (telephone, electrical, sewer, water main, etc.);

Unknown

- c) Surface structures (e.g., buildings, tanks, etc.)

Unknown

- d) Ground water wells, including drilling logs;

Unknown

- e) Storm water drainage system, and sanitary sewer system, past and present, including septic tank(s), subsurface disposal field(s), and other underground structures; and where, when and how such systems are emptied;

Unknown

- f) any and all additions, demolitions or changes of any kind on, under or about the Site, its physical structures or to the property itself (e.g., excavation work); and any planned additions, demolitions or other changes to the site; and

Unknown

- g) All maps and drawings of the Site in your possession.

See Exhibit F

12. Identify all past and present solid waste units (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) on the

Site. for each such solid waste unite identified, provide the following information:

- a) A map showing the unit's boundaries and the location of all known solid waste units whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units;

Unknown

- b) The type of unit (e.g., storage area, landfill, waste pile, etc.), and the dimensions of the unit;

Unknown

- c) The dates that the unit was in use;

Unknown

- d) The purpose and past usage (e.g., storage, spill containment, etc.);

Unknown

- e) The quantity and types of materials (hazardous substance and any other chemicals) located in each unit; and

Unknown

- f) The construction (materials, composition), volume, size, dates of cleaning, and condition of each unit;

Unknown

- g) If unit is no longer in use, how was such unit closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit.

Unknown

- 13. Identify the prior owners of the Site. For each prior owner, further identify:

- a) The dates of ownership;

See response to request number 8

- b) All evidence showing that they controlled access to the Site; and

Not available

- c) All evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Site during the period that they owned the Site.

Unknown

14. Identify the prior operators, including lessors, of the Site. For each such operator, further identify:

- a) the dates of operation;

Unknown

- b) The nature of prior operations at the Site;

Unknown

- c) All evidence that they controlled access to the Site; and

Unknown

- d) All evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Site and/or its solid waste units during the period that they were operating the Site.

Unknown

15. Provide copies of all local, state and federal environmental permits ever granted for the Facility or any part hereof (e.g., RCRA permits, NPDES permits, etc.).

Unknown

16. Did the Facility ever have "interim status" under the Resource Conservation or Recovery Act (RCRA)? If so, and the Facility does not currently have interim status, describe the circumstances under which the Facility lost interim status.

Unknown

17. Did the Facility ever file a notification of hazardous waste activity under RCRA? If so, provide a copy of such notification.

No. Port Lawrence Title and Trust Co. did receive a notice from Ohio EPA. [Exhibit G.]

18. Provide all reports, information or data related to soil, water (ground and surface), or air quality and geology/hydrology at and about the Site. Provide copies of all documents containing such data and information, including both past and current aerial photographs as well as documents containing analysis or interpretation of such data.

Unknown

19. Are you or your consultants planning to perform any investigations of the soil, water (ground or surface), geology, hydrology or air quality on or about the Site? If so, identify:

- a) What the nature and scope of these investigations will be:

Not applicable

- b) The contractors or other persons that will undertake these investigations;

Not applicable

- c) The purpose of the investigations;

Not applicable

- d) The dates when such investigations will take place and be completed; and,

Not applicable

- e) Where on the Site such investigations will take place.

Not applicable

20. Identify all leaks, spills, or releases into the environment of any hazardous substance,s pollutants, or contaminants that have occurred at or from the Site. In addition, identify,

Unknown

- a) When such release occurred;

Unknown

- b) How the releases occurred;

Unknown

- c) The amount of each hazardous substances, pollutants, or contaminants so released;

Unknown

- d) Where such release occurred;

Unknown

- e) Any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release; ,"

Unknown

- f) Any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken; and

Unknown

- g) All persons with information relating to these releases.

Unknown

21. Did any leaks, spills or releases of hazardous materials occur on the Site when such materials were being:

- a) Delivered by a vendor;

Unknown

- b) Stored (e.g., in any tanks, drums, or barrels);

Unknown

- c) Transported or transferred (e.g., to or from any tanks, drums, barrels, or recovery units); or

Unknown

- d) Treated.

Unknown

03201

17150 DEC 16 1983

Form - 18
 GENERAL WARRANTY DEED
 (Statutory Form)
 Rev. Code Sec. 5301.02
 After Recording, Send to: COUNTY CLERK, Lucas County, Ohio
 TRANSFERRED TO: COUNTY CLERK, Lucas County, Ohio
 COUNTY: LUCAS
 CITY: TOLEDO
 PER VALUE: \$50.00

SAMUEL A. GERALDO, unmarried

LUCAS County, State of Ohio for valuable consideration paid to
 with general warranty covenants to FORT LAWRENCE TITLE AND
 COMPANY, TRUSTEE
 whose last mailing address is 616 Madison Ave., Toledo, Ohio, 43694

the following described real property:

SEE "EXHIBIT A" ATTACHED HERETO AND MADE A PART HEREOF, THE
 SAME AS IF FULLY REWRITTEN HEREIN.

Subject to Taxes and assessments, easements and restrictions of record.
 Grantor to pay taxes and assessments owing as of December 20, 1983.

Prior instrument reference 77-254A-5, Lucas County, Ohio Deed Records.

Witnessed by hand this 14th day of December 1983.
 Signed, acknowledged and delivered
 in the presence of
 Patricia L. Theodorson
 Samuel A. Geraldo

STATE OF OHIO, LUCAS COUNTY

The foregoing instrument was acknowledged before me this 14th day of December 1983 by SAMUEL A. GERALDO, unmarried.

Patricia L. Theodorson
 Notary Public, Lucas County, Ohio

My commission expires
 Patricia L. Theodorson
 Notary Public, State of Ohio
 My commission expires April 22, 1985
 Notary Public, Lucas County, Ohio
 63 4931107

DESCRIPTION

A parcel of land being all of Lots number one hundred seventy-nine (179), one hundred eighty-five (185) thru one hundred eighty-nine (189) inclusive, part of Lots number one hundred eighty (180) thru one hundred eighty-three (183) inclusive and part of Lot number one hundred ninety (190), all in the Extension of Creek-Side Addition, recorded in Volume 27, Page 26, Plat Records, also part of the Northwest quarter (1/4) of Section twenty-four (24), Town nine (9) South, Range seven (7) East, in the City of Toledo, Lucas County, Ohio.

Said parcel of land being bounded and described as follows:

Commencing at the intersection of the centerline of Lagrange Street sixty-six (66) feet wide with the centerline of Erin Street; thence in a southeast direction along the said centerline of Lagrange Street, sixty-six (66) feet wide, having an assumed bearing of South fifteen (15) degrees, twenty-seven (27) minutes, forty-three (43) seconds East, a distance of two hundred nine and forty-eight hundredths (209.48) feet to a point, said point being on the extension of the northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records; thence South eighty-five (85) degrees, thirty-five (35) minutes, sixteen (16) seconds East along the said extended northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records, a distance of thirty-five and nine hundredths (35.09) feet to the intersection of the northeasterly right of way line of Lagrange Street, sixty-six (66) feet wide, said intersection also being the true point of beginning; thence North fifteen (15) degrees, twenty-seven (27) minutes, forty-three (43) seconds West along the said northeasterly right of way line of Lagrange Street sixty-six (66) feet wide, a distance of one hundred sixty-three and forty-one hundredths (163.41) feet to the northwest corner of

said Lot number one hundred eighty-five (185) in the Extension of Creek-Side Addition; thence North seventy-four (74) degrees, thirty-two (32) minutes, seventeen (17) seconds East along the northwesterly line of said Lot number one hundred eighty-five (185) in the Extension of Creek-Side Addition a distance of one hundred and no hundredths (100.00) feet to the intersection of the southwesterly line of said Lot number one hundred eighty-three (183) in the Extension of Creek-Side Addition; thence North fifteen (15) degrees, twenty-seven (27) minutes, forty-three (43) seconds West along the said southwesterly line of Lot number one hundred eighty-three (183) in the Extension of Creek-Side Addition, a distance of thirty-three and no hundredths (33.00) feet to the intersection of the southeasterly right of way line of Erin Street; thence North seventy-four (74) degrees, thirty-two (32) minutes, seventeen (17) seconds East along the said southeasterly right of way line of Erin Street, a distance of one hundred fifty and no hundredths (150.00) feet to the intersection of the northeasterly right of way line of Pitt Street; thence North fifteen (15) degrees, twenty-seven (27) minutes, forty-three (43) seconds West along the said Northeasterly right of way line of Pitt Street, a distance of seventeen and no hundredths (17.00) feet to the Northwest corner of said Lot number one hundred seventy-nine (179) in the Extension of Creek-Side Addition; thence North seventy-four (74) degrees, thirty-two (32) minutes, seventeen (17) seconds East along the northeasterly line of said Lot number one hundred seventy-nine (179) in the Extension of Creek-Side Addition, a distance of one hundred fourteen and no hundredths (114.00) feet to the intersection of the westerly edge of the abandoned channel of the Ottawa River as it is shown on the said Plat of Extension of Creek-Side Addition; thence North two (02) degrees, twenty-nine (29) minutes, thirty-four (34) seconds East along a line,

a distance of one hundred sixty-nine and thirty-two hundredths (169.32) feet to a point, said point being the intersection of the southeasterly line of Lot number one hundred seventy-three (173) in the said Extension of Creek-Side Addition, with the said westerly edge of the abandoned channel of Ottawa River, as shown on the Recorded Plat of Extension of Creek-Side Addition; thence North nine (09) degrees, seven (07) minutes, eighteen (18) seconds West along a line, a distance of ninety-nine and sixty-one hundredths (99.61) feet to a point; said point being the intersection of the southeasterly line of Lot number one hundred seventy (170) in the said Extension of Creek-Side Addition, with the said westerly edge of the abandoned channel of the Ottawa River, as shown on the Record Plat of the Extension of Creek-Side Addition; thence North twelve (12) degrees, thirty-four (34) minutes, fourteen (14) seconds West along a line, a distance of ninety-nine and thirteen hundredths (99.13) feet to a point, said point being the intersection of the southeasterly line of Lot number one hundred sixty-seven (167) in the said Extension of Creek-Side Addition, with the said westerly edge of the abandoned channel of the Ottawa River, as shown on the Record Plat of the Extension of Creek-Side Addition; thence North four (04) degrees, thirty-one (31) minutes, sixteen (16) seconds East along a line, a distance of seventy and twenty-three hundredths (70.23) feet to a point, said point being the intersection of the southeasterly line of Lot number one hundred sixty-five (165) in the said Extension of Creek-Side Addition, with the said westerly edge of the abandoned channel of the Ottawa River, as shown on the record plat of the Extension of Creek-Side Addition; thence North six (06) degrees, thirty-two (32) minutes, nineteen (19) seconds East along a line, a distance of one hundred six and seventy-eight hundredths (106.78) feet to a point, said point being the intersection of the southeasterly right of way line of Maple Street with the said westerly edge of the abandoned channel of the Ottawa River, as shown

on the Record Plat of the Extension of Creek-Side Addition;
thence North twenty-seven (27) degrees, forty-six (46) minutes,
zero (00) seconds East along a line, a distance of sixty-eight
and sixty-two hundredths (68.62) feet to a point, said point being
the intersection of the northwesterly right of way line of Maple
Street with the said westerly edge of the abandoned channel of the
Ottawa River, as shown on the record plat of the Extension of Creek-
Side Addition; thence North fifty-one (51) degrees, thirty-six (36)
minutes, sixteen (16) seconds East along a line, a distance of one
hundred seventy-six and eighteen hundredths (176.18) feet to a point,
said point being the intersection of the northerly edge of the
abandoned channel of the Ottawa River, as shown on the record plat
of the Extension of Creek-Side Addition, with a line as shown on a
location survey report of the centerline of the abandoned Ottawa
River, prepared by Lewandowski Engineers for the "Darling Company"
dated September 1953; thence South two (02) degrees, fifty-five (55)
minutes, sixteen (16) seconds east along said line as shown on a
location survey report of the centerline of the abandoned Ottawa
River, prepared by Lewandowski Engineers, for the "Darling Company"
dated September 1953, a distance of thirty-four and eighty-three
hundredths (34.83) feet to a point, thence North eighty-two (82)
degrees, thirty-four (34) minutes, twenty-nine (29) seconds East
along a line, designated as centerline of the said location survey
report prepared by Lewandowski Engineers for the "Darling Company"
dated September 1953, a distance of three hundred three and eighteen
hundredths (303.18) feet to a point; thence South eighty-two (82)
degrees, twenty (20) minutes, fifty-one (51) seconds East along a
line designated as centerline of the said location survey report
prepared by Lewandowski Engineers, for the "Darling Company" dated
September 1953, a distance of four hundred ninety-five and seventy-
seven hundredths (495.77) feet to the intersection of the westerly
line of Lot A in Martin Streicher Plat, said westerly line of Lot A

in Martin Streicher Place, also known as the westerly line of Ormond Park; thence South two (02) degrees, eighteen (18) minutes, fifty-four (54) seconds East along the said westerly line of Lot A in Martin Streicher Place, also known as the westerly line of Ormond Park, a distance of seven hundred five and ninety-two hundredths (705.92) feet to the intersection of the northerly line of a parcel of land as described in Volume 343, Page 286, Deed Records; thence South eighty-four (84) degrees, fifty-four (54) minutes, one (01) second West along said northerly line of a parcel of land as described in Volume 343, Page 286, Deed Records, a distance of seventy-five and no hundredths (75.00) feet to the intersection of the westerly line of said parcel of land as described in Volume 343, Page 286, Deed Records; thence South two (02) degrees, eighteen (18) minutes, fifty-four (54) seconds East along said westerly line of a parcel of land as described in Volume 343, Page 286, Deed Records, a distance of ninety-three and eight hundredths (93.83) feet to the intersection of the said northerly line of a parcel of land as described in Volume 383, Page 742, Deed Records; thence south eighty-seven (87) degrees, thirty-two (32) minutes, twenty-seven (27) seconds West along the said northerly line of a parcel of land as described in Volume 383, Page 742, Deed Records, a distance of three hundred ninety-five and sixty-eight hundredths (395.68) feet to a point; thence South seventy-eight (78) degrees, forty-four (44) minutes, forty-three (43) seconds East along the said northerly line of a parcel of land as described in Volume 383, Page 742, Deed Records, a distance of seven hundred one and forty-five hundredths (701.45) feet to a point; thence South eighty-five (85) degrees, thirty-five (35) minutes, sixteen (16) seconds West along the said northerly line of a parcel of land as described in Volume 383, Page 742, Deed Records, a distance of one hundred four and twenty-five hundredths (105.25) feet to the intersection of the said northerly line, excepting

therefrom that part of the westerly one-half (1/2) of the
abandoned channel of the Ottawa River or Ten Mile Creek lying
between the Northerly line of Lot number one hundred seventy-nine
(179) in the Extension of Creek-Side Addition extended Easterly
and the Northerly line of Lot number one hundred twenty-one (121)
in the Extension of Creek-Side Addition extended Easterly.

RECEIVED • RECORDED 20

DEC 16 1983 1126

SANDY P. HILL

RECORDED 1126

83 493C01

ORDER NO.

"EXHIBIT B"

CARD #2

T. D.	Parcel	TAXING DISTRICT	ADDITION—GRANT OR TRACT	Con. Tr.	Type	Code
18	35904	Toledo	Pt Lawrence Lands		C	00

Range	Town	Sec.	Qtr.	Lot	Block	Sub.	Acres	PROPERTY DESCRIPTION
7	9	24					17 58	Lot 1 & 3 Wly 51.85 ac of pt E of Lag St etc ...Sub A exc blvd & exc pt in SR I-75

Lot 1 & 3 Wly 51.85 ac of pt E of Lagrange St & S of Ottawa River exc .28 ac SE cor
Sub A exc blvd & exc pt in SR I-75

PROPERTY—STREET AND NUMBER	Frontage	Depth	Assessor No.	Map Book	Page
Lagrange St. (rear)			2-902-1	Blue	16

RECORD OF TRANSFER

Date	Owner	Street Address	City—State	Pro. No.	Stamps	Order No.
5-27-69	Boys Club of Toledo	618 Superior St	Toledo Ohio	4-9-69	4-19-70	TNN
5-17-77	Geraldo Samuel A	802 S St Clair St	Toledo Ohio	5-10-77	7-8-70	over
12-16-83	Port Lawrence Title and Trust Co Trustee	616 Madison Ave	Toledo, Ohio	04	12-14-83	GW
Multiple parcel sale see 3-27037						

831493807

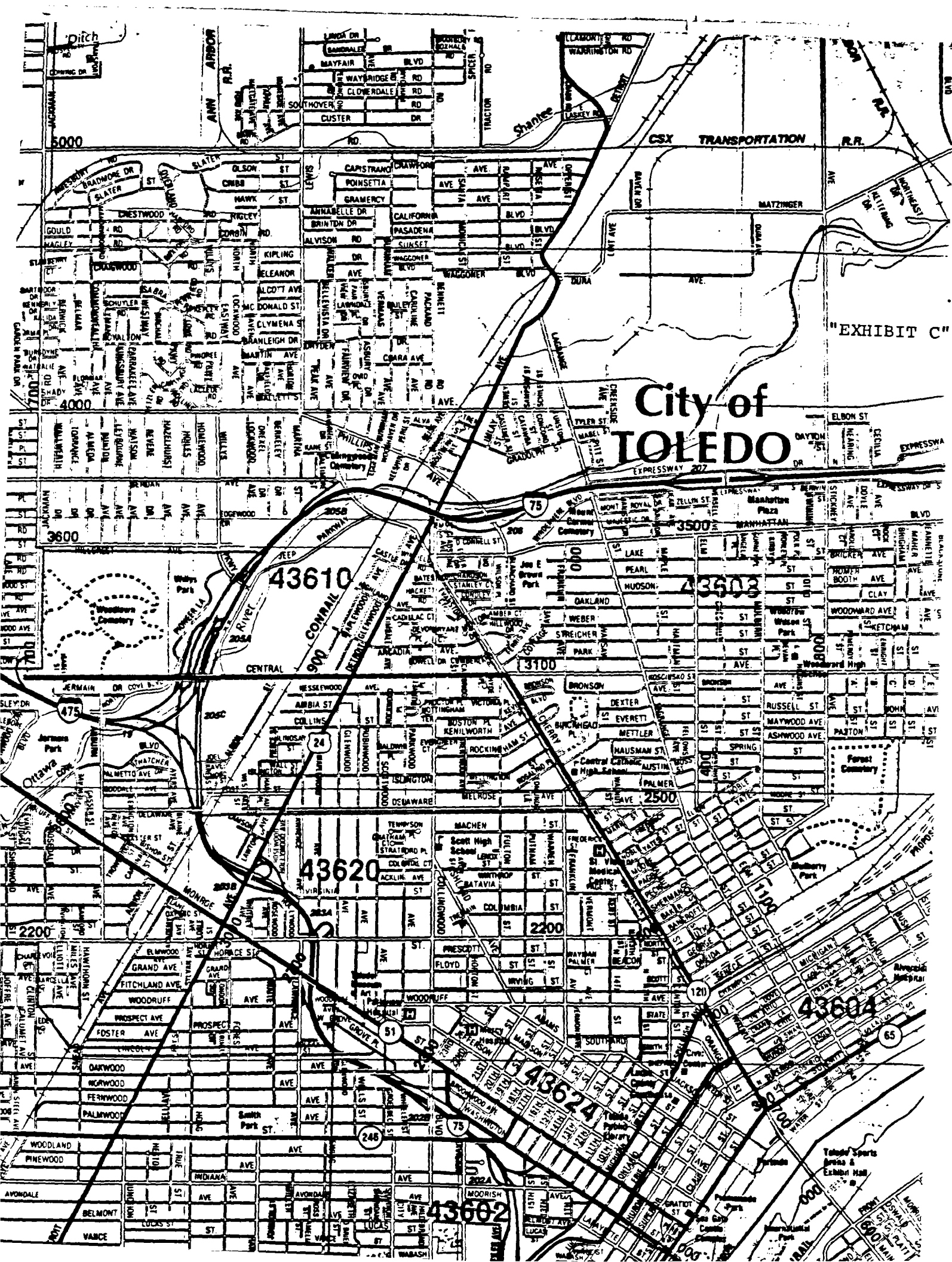
Martha
SR

need copy of deed today.
Free

Land	Buildings	Total	Order No.	Land	Buildings	Total	Order No.
15 360		15 360	5/5 79	18-35504	2-902-001	0	0
15 360		15 360	I-10997 81	21,180	0	21,180	85 UPDATE

REAL ESTATE TAX LIST — LUCAS COUNTY, OHIO

18-35904	2-902-001	88 REVAL	
21,390	0	21,390	
18-35904	02-902-001-0	91 UPDATE	
22,470	0	22,470	



City of TOLEDO

"EXHIBIT C"

43610

43603

43620

43604

43602

GENERAL REAL ESTATE MORTGAGE

KNOW ALL MEN BY THESE PRESENTS:

Received and Recorded at _____
Recorder _____

That THE PORT LAWRENCE TITLE AND TRUST COMPANY, TRUSTEE,

the grantor

in consideration of Forty Thousand Dollars (\$40,000.00)
to it paid by SAMUEL A. GERALDO,

the grantee

the receipt whereof is hereby acknowledged, does hereby BARGAIN, SELL and CONVEY to said grantee and to his heirs, successors and assigns forever, the following described real estate, situate in the County of Lucas, State of Ohio, viz:

SEE "EXHIBIT A" ATTACHED HERETO AND MADE A PART HEREOF, THE SAME AS IF FULLY REWRITTEN HEREIN.

GRANTOR, as Trustee, executes this Mortgage, does not personally undertake any of the covenants or obligations contained in this Mortgage, including, without limitation, the payment of the indebtedness secured hereby, or assume any personal liability with respect thereto, and it being understood that all such covenants and obligations, including the payment of the indebtedness, are to be performed by the Beneficial Owners of the premises, and that the covenants hereinafter referred to shall be deemed to be the covenants of the Beneficial Owners of the premises.

and all the estate, right, title and interest said grantor has or ought to have in and to said described premises, together with the privileges and appurtenances to the same belonging. To Have And To Hold the same to the said grantee his heirs, successors and assigns forever the said Grantor hereby covenanting that it is the true and lawful owner of said premises and is well seized of the same in fee simple, and has good right and full power to bargain, sell and convey the same in the manner aforesaid and that the premises so conveyed are clear, free and unencumbered, and that it will warrant and defend the same against all claims whatsoever, except.

XXXXX
This mortgage is made in consideration of the sum of Forty Thousand Dollars (\$40,000.00) to the said grantee, his heirs, successors and assigns, and these presents are upon this condition, That whereas the said Grantor has executed and delivered to the said Grantee, a promissory note of even date herewith for the sum of Forty Thousand Dollars (\$40,000.00)

Dollars payable to the Grantee with interest at the rate of 10 percent per annum. It being hereby covenanted that if the grantor shall fail to pay any payments of said interest or principal when due, such delinquent payments shall bear interest at the rate of 12 percent per annum from the time the same becomes due, and this mortgage shall stand as security for the payment of the same.

The said Grantor further agrees to pay all taxes and assessments against said premises as the same shall become due and payable and to keep said premises in good repair; and further agree to keep said premises fully insured in favor of Grantee, his heirs, successors or assigns, in companies to be approved by Grantee and to deposit the policies of insurance with the Grantee; failing in any or all of said agreements, said Grantee may pay said taxes and assessments, make said repairs and secure said insurance and the expense therefore shall constitute a lien against said premises from this date as though specifically stipulated herein.

It being hereby covenanted that if failure be made in payment of either principal, interest, taxes, assessments, insurance premiums, and expenses, or any part thereof, when due as aforesaid, and the same shall remain in arrears for

30 days, or if the grantor shall sell, transfer or convey the within described premises without the prior written consent of the grantee the whole of said principal sum shall become and be then due, and the said Grantee, his heirs, successors and assigns, shall be and are hereby authorized in said case of default proceed, at their option, for the collection of the whole amount unpaid hereon. successors and assigns, shall well and truly pay the aforesaid obligations according to the tenor thereof, to said Grantor, his heirs, successors and assigns, together with all taxes, assessments, expenses and insurance premiums, then the above deed shall be void; otherwise the same shall remain in full force and virtue.

THE
IN WITNESS WHEREOF, The said /PORT LAWRENCE TITLE AND TRUST COMPANY, TRUSTEE,

hereto set its hand this 14th day of December, 1919, in the year Nineteen Hundred and Eighty-three.

THE PORT LAWRENCE TITLE AND TRUST COMPANY, TRUSTEE

Signed, acknowledged and delivered in the presence of
[Signature]
Witness

By *[Signature]*
John A. Laskey, President
By *[Signature]*
Wm. R. Kennedy, Secretary

The State of Ohio, LUCAS County, ss.
BE IT REMEMBERED, That on the 14th day of December in the year of our Lord, One Thousand Nine Hundred and Eighty-three before me, the subscriber, a Notary Public within and for said county, personally came John A. Laskey, President, and Wm. R. Kennedy, Secretary, of the said PORT LAWRENCE TITLE AND TRUST COMPANY, TRUSTEE, the grantor in the above conveyance, and acknowledged the signing thereof to be their voluntary act and deed, for the purpose therein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

[Signature]
Joseph P. Sheehy, Lucas County, Ohio.
My Commission Expires Permanent State of Ohio

This Instrument Prepared By:
Barry E. Savage, Attorney
228 N. Erie St.
Toledo, Ohio 43624-1662

GENERAL	
Real Estate Mortgage	
From	To
Recorder's Office	
Date	State of _____ County of _____
Received for Record	_____ 19__
at _____ o'clock, _____ A.M. and	
Recorded _____ 19__	
in Vol _____ of Mortgages.	
Page _____	
Recorder	

_____ 19__

The conditions of this mortgage have been complied with, and the same is fully paid, satisfied and discharged.

DESCRIPTION

A parcel of land being all of Lots number one hundred seventy-nine (179), one hundred eighty-five (185) thru one hundred eighty-nine (189) inclusive, part of Lots number one hundred eighty (180) thru one hundred eighty-three (183) inclusive and part of Lot number one hundred ninety (190), all in the Extension of Creek-Side Addition, recorded in Volume 27, Page 26, Plat Records, also part of the Northwest quarter (1/4) of Section twenty-four (24), Town nine (9) South, Range seven (7) East, in the City of Toledo, Lucas County, Ohio.

Said parcel of land being bounded and described as follows:

Commencing at the intersection of the centerline of Lagrange Street sixty-six (66) feet wide with the centerline of Erin Street; thence in a southeast direction along the said centerline of Lagrange Street, sixty-six (66) feet wide, having an assumed bearing of South fifteen (15) degrees, twenty-seven (27) minutes, forty-three (43) seconds East, a distance of two hundred nine and forty-eight hundredths (209.48) feet to a point, said point being on the extension of the northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records; thence South eighty-five (85) degrees, thirty-five (35) minutes, sixteen (16) seconds East along the said extended northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records, a distance of thirty-five and nine hundredths (35.09) feet to the intersection of the northeasterly right of way line of Lagrange Street, sixty-six (66) feet wide, said intersection also being the true point of beginning; thence North fifteen (15) degrees, twenty-seven (27) minutes, forty-three (43) seconds West along the said northeasterly right of way line of Lagrange Street sixty-six (66) feet wide, a distance of one hundred sixty-three and forty-one hundredths (163.41) feet to the northwest corner of

said Lot number one hundred eighty-five (185) in the Extension of Creek-Side Addition; thence North seventy-four (74) degrees, thirty-two (32) minutes, seventeen (17) seconds East along the northwesterly line of said Lot number one hundred eighty-five (185) in the Extension of Creek-Side Addition a distance of one hundred and no hundredths (100.00) feet to the intersection of the southwesterly line of said Lot number one hundred eighty-three (183) in the Extension of Creek-Side Addition; thence North fifteen (15) degrees, twenty-seven (27) minutes, forty-three (43) seconds West along the said southwesterly line of Lot number one hundred eighty-three (183) in the Extension of Creek-Side Addition, a distance of thirty-three and no hundredths (33.00) feet to the intersection of the southeasterly right of way line of Erin Street; thence North seventy-four (74) degrees, thirty-two (32) minutes, seventeen (17) seconds East along the said southeasterly right of way line of Erin Street, a distance of one hundred fifty and no hundredths (150.00) feet to the intersection of the northeasterly right of way line of Pitt Street; thence North fifteen (15) degrees, twenty-seven (27) minutes, forty-three (43) seconds West along the said Northeasterly right of way line of Pitt Street, a distance of seventeen and no hundredths (17.00) feet to the Northwest corner of said Lot number one hundred seventy-nine (179) in the Extension of Creek-Side Addition; thence North seventy-four (74) degrees, thirty-two (32) minutes, seventeen (17) seconds East along the northwesterly line of said Lot number one hundred seventy-nine (179) in the Extension of Creek-Side Addition, a distance of one hundred fourteen and no hundredths (114.00) feet to the intersection of the westerly edge of the abandoned channel of the Ottawa River as recorded on the said Plat of Extension of Creek-Side Addition; thence North two (02) degrees, twenty-nine (29) minutes, thirty-four (34) seconds West along a line,

a distance of one hundred sixty-nine and thirty-two hundredths (169.32) feet to a point, said point being the intersection of the southeasterly line of Lot number one hundred seventy-three (173) in the said Extension of Creek-Side Addition, with the said westerly edge of the abandoned channel of Ottawa River, as shown on the Recorded Plat of Extension of Creek-Side Addition; thence North nine (09) degrees, seven (07) minutes, eighteen (18) seconds West along a line, a distance of ninety-nine and sixty-one hundredths (99.61) feet to a point; said point being the intersection of the southeasterly line of Lot number one hundred seventy (170) in the said Extension of Creek-Side Addition, with the said westerly edge of the abandoned channel of the Ottawa River, as shown on the Record Plat of the Extension of Creek-Side Addition; thence North twelve (12) degrees, thirty-four (34) minutes, fourteen (14) seconds West along a line, a distance of ninety-nine and thirteen hundredths (99.13) feet to a point, said point being the intersection of the southeasterly line of Lot number one hundred sixty-seven (167) in the said Extension of Creek-Side Addition, with the said westerly edge of the abandoned channel of the Ottawa River, as shown on the Record Plat of the Extension of Creek-Side Addition; thence North four (04) degrees, thirty-one (31) minutes, sixteen (16) seconds East along a line, a distance of seventy and twenty-three hundredths (70.23) feet to a point, said point being the intersection of the southeasterly line of Lot number one hundred sixty-five (165) in the said Extension of Creek-Side Addition, with the said westerly edge of the abandoned channel of the Ottawa River, as shown on the record plat of the Extension of Creek-Side Addition; thence North six (06) degrees, thirty-two (32) minutes, nineteen (19) seconds East along a line, a distance of one hundred six and seventy-eight hundredths (106.78) feet to a point, said point being the intersection of the southeasterly right of way line of Maple Street with the said westerly edge of the abandoned channel of the Ottawa River, as shown

on the Record Plat of the Extension of Creek-Side Addition; thence North twenty-seven (27) degrees, forty-six (46) minutes, zero (00) seconds East along a line, a distance of sixty-eight and sixty-two hundredths (68.62) feet to a point, said point being the intersection of the northwesterly right of way line of Mable Street with the said westerly edge of the abandoned channel of the Ottawa River, as shown on the record plat of the Extension of Creek-Side Addition; thence North fifty-one (51) degrees, thirty-six (36) minutes, sixteen (16) seconds East along a line, a distance of one hundred seventy-six and eighteen hundredths (176.18) feet to a point, said point being the intersection of the northerly edge of the abandoned channel of the Ottawa River, as shown on the record plat of the Extension of Creek-Side Addition, with a line as shown on a location survey report of the centerline of the abandoned Ottawa River, prepared by Lewandowski Engineers for the "Darling Company" dated September 1953; thence South two (02) degrees, fifty-five (55) minutes, sixteen (16) seconds east along said line as shown on a location survey report of the centerline of the abandoned Ottawa River, prepared by Lewandowski Engineers, for the "Darling Company" dated September 1953, a distance of thirty-four and eighty-three hundredths (34.83) feet to a point; thence North eighty-two (82) degrees, thirty-four (34) minutes, twenty-nine (29) seconds East along a line, designated as centerline of the said location survey report prepared by Lewandowski Engineers for the "Darling Company" dated September 1953, a distance of three hundred three and eighteen hundredths (303.18) feet to a point; thence South eighty-two (82) degrees, twenty (20) minutes, fifty-one (51) seconds East along a line designated as centerline of the said location survey report prepared by Lewandowski Engineers, for the "Darling Company" dated September 1953, a distance of four hundred ninety-five and seventy-seven hundredths (495.77) feet to the intersection of the westerly line of Lot A in Martin Streicher Place, said westerly line of Lot A

in Martin Streicher Place, also known as the westerly line of Ormond Park; thence South two (02) degrees, eighteen (18) minutes, fifty-four (54) seconds East along the said westerly line of Lot A in Martin Streicher Place, also known as the westerly line of Ormond Park, a distance of seven hundred five and ninety-two hundredths (705.92) feet to the intersection of the northerly line of a parcel of land as described in Volume 343, Page 286, Deed Records; thence South eighty-four (84) degrees, fifty-four (54) minutes, one (01) second West along said northerly line of a parcel of land as described in Volume 343, Page 286, Deed Records, a distance of seventy-five and no hundredths (75.00) feet to the intersection of the westerly line of said parcel of land as described in Volume 343, Page 286, Deed Records; thence South two (02) degrees, eighteen (18) minutes, fifty-four (54) seconds East along said Westerly line of a parcel of land as described in Volume 343, Page 286, Deed Records, a distance of ninety-three and eighty-three hundredths (93.83) feet to the intersection of the said northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records; thence south eighty-seven (87) degrees, thirty-two (32) minutes, twenty-seven (27) seconds West along the said northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records, a distance of three hundred ninety-five and sixty-eight hundredths (395.68) feet to a point; thence South seventy-eight (78) degrees, forty-four (44) minutes, forty-three (43) seconds West along the said northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records, a distance of seven hundred one and forty-five hundredths (701.45) feet to a point; thence North eighty-five (85) degrees, thirty-five (35) minutes, sixteen (16) seconds West along the said northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records, a distance of one hundred five and twenty-five hundredths (105.25) feet to the true point of beginning, excepting

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therefrom that part of the westerly one-half (1/2) of the
abandoned channel of the Ottawa River or Ten Mile Creek lying
between the Northerly line of Lot number one hundred seventy-nine
(179) in the Extension of Creek-Side Addition extended Easterly
and the Northerly line of Lot number one hundred twenty-one (121)
in the Extension of Creek-Side Addition extended Easterly.

RECEIVED & RECORDED 22⁰⁰

DEC 16 1983

11:30
Am

SANDY ISENBERG
RECORDER, LUCAS COUNTY, OHIO

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"EXHIBIT E"

DESCRIPTION

A parcel of land being all of Lots number one hundred seventy-nine (179), one hundred eighty-five (185) thru one hundred eighty-nine (189) inclusive, part of Lots number one hundred eighty (180) thru one hundred eighty-three (183) inclusive and part of Lot number one hundred ninety (190), all in the Extension of Creek-Side Addition, recorded in Volume 27, Page 26, Plat Records, also part of the Northwest quarter (1/4) of Section twenty-four (24), Town nine (9) South, Range seven (7) East, in the City of Toledo, Lucas County, Ohio.

Said parcel of land being bounded and described as follows:

Commencing at the intersection of the centerline of Lagrange Street sixty-six (66) feet wide with the centerline of Erin Street; thence in a southeast direction along the said centerline of Lagrange Street, sixty-six (66) feet wide, having an assumed bearing of South fifteen (15) degrees, twenty-seven (27) minutes, forty-three (43) seconds East, a distance of two hundred nine and forty-eight hundredths (209.48) feet to a point, said point being on the extension of the northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records; thence South eighty-five (85) degrees, thirty-five (35) minutes, sixteen (16) seconds East along the said extended northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records, a distance of thirty-five and nine hundredths (35.09) feet to the intersection of the northeasterly right of way line of Lagrange Street, sixty-six (66) feet wide, said intersection also being the true point of beginning; thence North fifteen (15) degrees, twenty-seven (27) minutes, forty-three (43) seconds West along the said northeasterly right of way line of Lagrange Street sixty-six (66) feet wide, a distance of one hundred sixty-three and forty-one hundredths (163.41) feet to the northwest corner of

said Lot number one hundred eighty-five (185) in the Extension of Creek-Side Addition; thence North seventy-four (74) degrees, thirty-two (32) minutes, seventeen (17) seconds East along the northwesterly line of said Lot number one hundred eighty-five (185) in the Extension of Creek-Side Addition a distance of one hundred and no hundredths (100.00) feet to the intersection of the southwesterly line of said Lot number one hundred eighty-three (183) in the Extension of Creek-Side Addition; thence North fifteen (15) degrees, twenty-seven (27) minutes, forty-three (43) seconds West along the said southwesterly line of Lot number one hundred eighty-three (183) in the Extension of Creek-Side Addition, a distance of thirty-three and no hundredths (33.00) feet to the intersection of the southeasterly right of way line of Erin Street; thence North seventy-four (74) degrees, thirty-two (32) minutes, seventeen (17) seconds East along the said southeasterly right of way line of Erin Street, a distance of one hundred fifty and no hundredths (150.00) feet to the intersection of the northeasterly right of way line of Pitt Street; thence North fifteen (15) degrees, twenty-seven (27) minutes, forty-three (43) seconds West along the said Northeasterly right of way line of Pitt Street, a distance of seventeen and no hundredths (17.00) feet to the Northwest corner of said Lot number one hundred seventy-nine (179) in the Extension of Creek-Side Addition; thence North seventy-four (74) degrees, thirty-two (32) minutes, seventeen (17) seconds East along the northwesterly line of said Lot number one hundred seventy-nine (179) in the Extension of Creek-Side Addition, a distance of one hundred fourteen and no hundredths (114.00) feet to the intersection of the westerly edge of the abandoned channel of the Ottawa River as recorded on the said Plat of Extension of Creek-Side Addition; thence North two (02) degrees, twenty-nine (29) minutes, thirty-four (34) seconds West along a line,

a distance of one hundred sixty-nine and thirty-two hundredths (169.32) feet to a point, said point being the intersection of the southeasterly line of Lot number one hundred seventy-three (173) in the said Extension of Creek-Side Addition, with the said westerly edge of the abandoned channel of Ottawa River, as shown on the Recorded Plat of Extension of Creek-Side Addition; thence North nine (09) degrees, seven (07) minutes, eighteen (18) seconds West along a line, a distance of ninety-nine and sixty-one hundredths (99.61) feet to a point; said point being the intersection of the southeasterly line of Lot number one hundred seventy (170) in the said Extension of Creek-Side Addition, with the said westerly edge of the abandoned channel of the Ottawa River, as shown on the Record Plat of the Extension of Creek-Side Addition; thence North twelve (12) degrees, thirty-four (34) minutes, fourteen (14) seconds West along a line, a distance of ninety-nine and thirteen hundredths (99.13) feet to a point, said point being the intersection of the southeasterly line of Lot number one hundred sixty-seven (167) in the said Extension of Creek-Side Addition, with the said westerly edge of the abandoned channel of the Ottawa River, as shown on the Record Plat of the Extension of Creek-Side Addition; thence North four (04) degrees, thirty-one (31) minutes, sixteen (16) seconds East along a line, a distance of seventy and twenty-three hundredths (70.23) feet to a point, said point being the intersection of the southeasterly line of Lot number one hundred sixty-five (165) in the said Extension of Creek-Side Addition, with the said westerly edge of the abandoned channel of the Ottawa River, as shown on the record plat of the Extension of Creek-Side Addition; thence North six (06) degrees, thirty-two (32) minutes, nineteen (19) seconds East along a line, a distance of one hundred six and seventy-eight hundredths (106.78) feet to a point, said point being the intersection of the southeasterly right of way line of Mable Street with the said westerly edge of the abandoned channel of the Ottawa River, as shown

on the Record Plat of the Extension of Creek-Side Addition; thence North twenty-seven (27) degrees, forty-six (46) minutes, zero (00) seconds East along a line, a distance of sixty-eight and sixty-two hundredths (68.62) feet to a point, said point being the intersection of the northwesterly right of way line of Mable Street with the said westerly edge of the abandoned channel of the Ottawa River, as shown on the record plat of the Extension of Creek-Side Addition; thence North fifty-one (51) degrees, thirty-six (36) minutes, sixteen (16) seconds East along a line, a distance of one hundred seventy-six and eighteen hundredths (176.18) feet to a point, said point being the intersection of the northerly edge of the abandoned channel of the Ottawa River, as shown on the record plat of the Extension of Creek-Side Addition, with a line as shown on a location survey report of the centerline of the abandoned Ottawa River, prepared by Lewandowski Engineers for the "Darling Company" dated September 1953; thence South two (02) degrees, fifty-five (55) minutes, sixteen (16) seconds east along said line as shown on a location survey report of the centerline of the abandoned Ottawa River, prepared by Lewandowski Engineers, for the "Darling Company" dated September 1953, a distance of thirty-four and eighty-three hundredths (34.83) feet to a point; thence North eighty-two (82) degrees, thirty-four (34) minutes, twenty-nine (29) seconds East along a line, designated as centerline of the said location survey report prepared by Lewandowski Engineers for the "Darling Company" dated September 1953, a distance of three hundred three and eighteen hundredths (303.18) feet to a point; thence South eighty-two (82) degrees, twenty (20) minutes, fifty-one (51) seconds East along a line designated as centerline of the said location survey report prepared by Lewandowski Engineers, for the "Darling Company" dated September 1953, a distance of four hundred ninety-five and seventy-seven hundredths (495.77) feet to the intersection of the westerly line of Lot A in Martin Streicher Place, said westerly line of Lot A

in Martin Streicher Place, also known as the westerly line of Ormond Park; thence South two (02) degrees, eighteen (18) minutes, fifty-four (54) seconds East along the said westerly line of Lot A in Martin Streicher Place, also known as the westerly line of Ormond Park, a distance of seven hundred five and ninety-two hundredths (705.92) feet to the intersection of the northerly line of a parcel of land as described in Volume 343, Page 286, Deed Records; thence South eighty-four (84) degrees, fifty-four (54) minutes, one (01) second West along said northerly line of a parcel of land as described in Volume 343, Page 286, Deed Records, a distance of seventy-five and no hundredths (75.00) feet to the intersection of the westerly line of said parcel of land as described in Volume 343, Page 286, Deed Records; thence South two (02) degrees, eighteen (18) minutes, fifty-four (54) seconds East along said Westerly line of a parcel of land as described in Volume 343, Page 286, Deed Records, a distance of ninety-three and eighty-three hundredths (93.83) feet to the intersection of the said northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records; thence south eighty-seven (87) degrees, thirty-two (32) minutes, twenty-seven (27) seconds West along the said northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records, a distance of three hundred ninety-five and sixty-eight hundredths (395.68) feet to a point; thence South seventy-eight (78) degrees, forty-four (44) minutes, forty-three (43) seconds West along the said northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records, a distance of seven hundred one and forty-five hundredths (701.45) feet to a point; thence North eighty-five (85) degrees, thirty-five (35) minutes, sixteen (16) seconds West along the said northerly line of a parcel of land as described in Volume 1883, Page 742, Deed Records, a distance of one hundred five and twenty-five hundredths (105.25) feet to the true point of beginning, excepting

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between the Northerly line of Lot number one hundred seventy-nine
(179) in the Extension of Creek-Side Addition extended Easterly
and the Northerly line of Lot number one hundred twenty-one (121)
in the Extension of Creek-Side Addition extended Easterly.

RECEIVED & RECORDED

DEC 16 1983

SANDY ISENBERG

RECORDER, LUCAS COUNTY, OHIO

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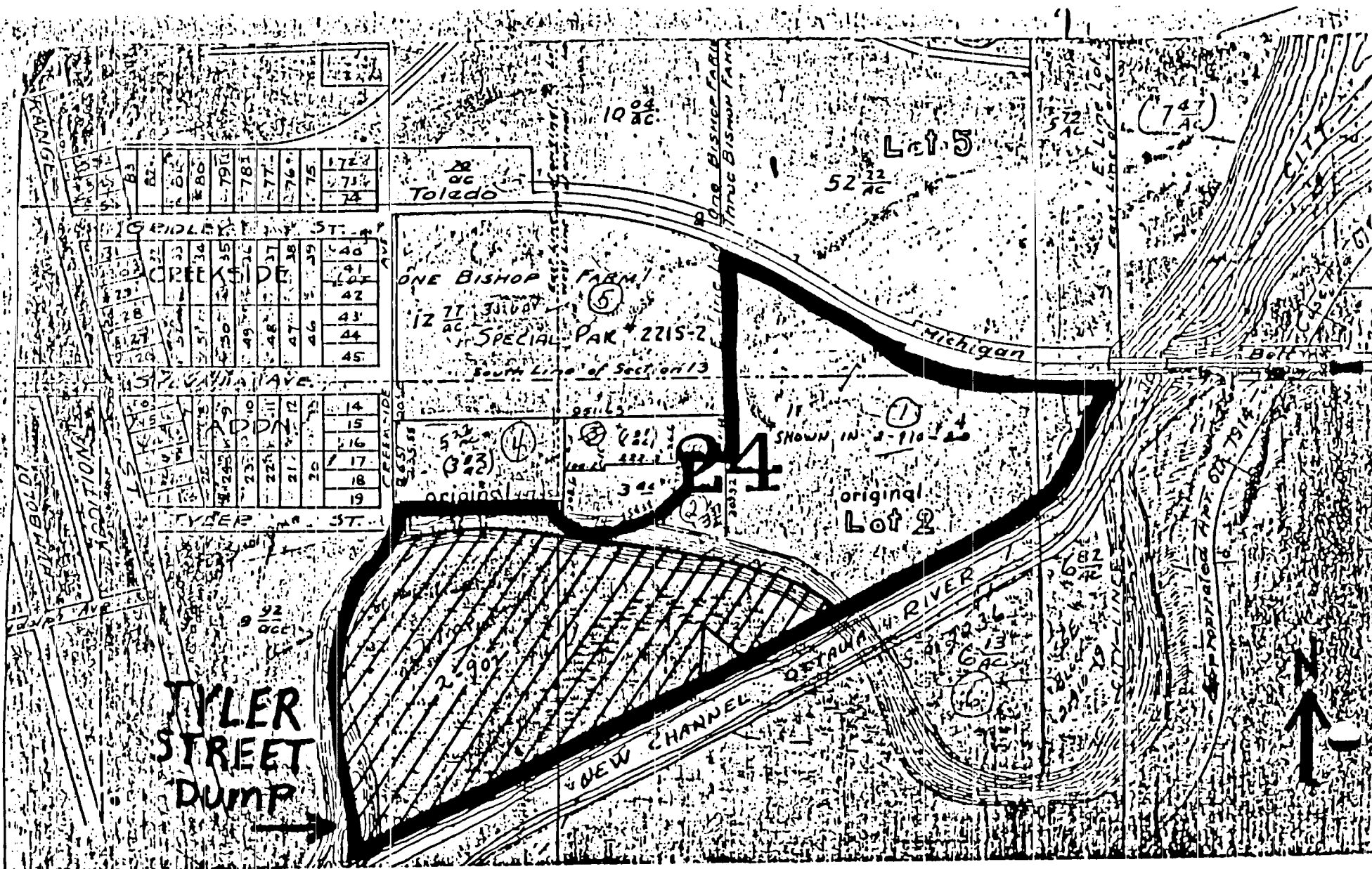


EXHIBIT F



TD 18, PARCEL 35904
current owner: PORT LAWRENCE TITLE & TRUST CO.



"EXHIBIT G"

State of Ohio Environmental Protection Agency

Northwest District Office

1035 Devlac Grove Drive

Bowling Green, Ohio 43402-4598

(419) 352-8461



Richard F. Celeste
Governor

September 14, 1988

Port Lawrence Title & Trust Company
616 Madison Avenue
Toledo, OH 43604

To Whom It May Concern:

A recent file search conducted by the Ohio Environmental Protection Agency at the Lucas County Auditor's Office, Toledo, Ohio, has indicated that you own a parcel of land which comprises part of the Tyler Street Dump, located at the end of Tyler Street, Toledo, Ohio. Refer to the enclosed map.

The Tyler Street Dump was owned and operated by the City of Toledo as a municipal landfill until sometime in the early 1970's, at which time it was closed. Very little information is available pertaining to this site, but with the site being located in an industrial area, it may be assumed industrial wastes were accepted which may have possibly contained hazardous waste.

Leaching of wastes has been observed many times since the site was closed. Leachate flows down the bank into the Ottawa River and is carried to Lake Erie, approximately three miles to the north. The potential for groundwater contamination also exists.

As part of our ongoing process to identify and remedy hazardous materials problems in Ohio, the OEPA is requesting your cooperation in allowing the Agency access to your property so that we may characterize the contaminants on site by sampling soil and leachate. Once the sampling results are known, appropriate follow-up actions, if any, will be determined.

Please acknowledge our request, in writing, within 15 days of receipt. If you have any questions, do not hesitate to contact me.

Sincerely,

David W. Knutsen
Office of Corrective Actions

/eb

Enclosure

cc: NWDO File
A & C Rep.

Send to Joe Shaky